

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ONEWEST BANK, N.A.,

Plaintiff,

-against-

GROZDANA ZAHTILA, Individually and  
as Surviving Spouse of ERMINIO ZAHTILA,  
and GE MONEY BANK,

Defendants.

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**MEMORANDUM & ORDER**  
15-CV-2405

**HURLEY, Senior District Judge:**

Presently before the Court is the Report and Recommendation, dated January 23, 2017, of Magistrate Judge Arlene R. Lindsay recommending that (1) the May 11, 2016 Certificate of Default be vacated as to defendant Grozdana Zahtila (“Zahtila”) and Zahtila be given thirty days to answer, move or otherwise respond to the complaint and (2) that plaintiff’s motion for default judgment be granted as to defendant GE Money Bank. More than fourteen days have elapsed since service of the Report and Recommendation and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result and adopts the January 23, 2017 Report and Recommendation of Judge Lindsay as if set forth herein. Accordingly,

**IT IS HEREBY ORDERED** that the May 11, 2016 Certificate of Default is vacated as to defendant Zahtila and Zahtila shall have thirty (30) days from the date of this Order to answer, move or otherwise respond to the complaint; and

**IT IS FURTHER ORDERED** that plaintiff’s motion for a default judgment against

defendant GE Money Bank extinguishing GE Money Bank's lien is granted; entry of said judgment, however, shall await the determination of all claims in this action.

Dated: Central Islip, N.Y.  
February 7, 2017

/s/ Denis R. Hurley  
Denis R. Hurley  
United States District Judge